



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,998	12/31/2003	David Marmaros	24207-10092	9955
62296 7590 11/26/2007 GOOGLE / FENWICK SILICON VALLEY CENTER 801 CALIFORNIA ST. MOUNTAIN VIEW, CA 94041			EXAMINER THAI, HANH B	
			ART UNIT 2163	PAPER NUMBER
			MAIL DATE 11/26/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/749,998

Applicant(s)

MARMAROS ET AL.

Examiner

Hanh B. Thai

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on RCE and amendment filed 10/26/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-6, 8-10, 14-25, 27-29, 31 and 33-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6, 8-10, 14-25, 27-29, 31 and 33-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/26/2007 has been entered.
2. The following is Non-Final Office Action in response to the amendment filed October 26, 2007. Independent claims 1, 18 and 24 have been amended. Claims 2, 7, 11-13, 26, 30 and 32 have been cancelled. Claims 1, 3-6, 8-10, 14-25, 27-29, 31 and 33-51 are pending in this application.

### ***Response to Arguments***

Applicant's arguments regarding "filtering of search results or generation of a user-interface such as user-defined display parameters including article types to be displayed", (response 10/26/07, page 15), have been considered but not found persuasive. The examiner finds it not persuasive, primarily because nowhere in any claim supports this argument "filtering of search results". In fact, this argued limitation is neither found in the claims nor in the specification.

3. Applicant's arguments regarding "generating on the client device a user interface based on user selection of article types to be displayed", (response 10/26/07, page 15), have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

Art Unit: 2163

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-6, 8-10, 14-25, 27-29, 31 and 33-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross et al. (US Pub. 2004/0143569 A1) in view of Grewal et al. (US 2003/0084032 A1).

Regarding claims 1, 18 and 24, Gross discloses a method or a computer-readable medium for providing combined search results on a client device, the method comprising:

- Generating and storing in a memory of the client device a local index of a plurality of articles associated with at least one of a user or the client device and store on the client device, each article having an article type from a plurality of article types, wherein each article type indicates a computer readable data format for an article (element "105", Fig.1 and ¶[0039], Gross discloses generating and storing a local index of a plurality of "articles" such as "email" and "files");
- executing on the client device a search query on the local index to produce a first result set of articles relevant to the search query, the first result set referencing a plurality of articles having different article types (¶[0059], Gross discloses executing a user search query on local search);
- receiving on the client device from a remote search system a second result set from a search of a global index, the second result set relevant to the search query (¶[0059], Gross discloses executing a user search query on global search); and

Art Unit: 2163

- generating on the client device a user interface of articles types to be displayed (§[0082] and §[0104], Gross); and
- displaying the first and second result sets to the user in the generated user interface of the client device (§[0104], Gross discloses that the search results are displayed in a list area or pane).

Gross, however, does not explicitly disclose a user interface to display search results based on user selection of article types. In the related art, Grewal discloses methods and systems for performing a controlled search including user interface (Fig.4-5, Grewal) to display the search results based on a user selection (abstract; §[0004]-[0006] and [0023]-[0024]). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Gross to include the claimed limitation as taught by Grewal. The motivation of doing so would have been to provide quick and efficient searches (§[0002]-[0003], Grewal).

Regarding claim 3, Gross/Grewal combination discloses wherein executing on the client device a search query further comprises intercepting a search query input at the client device directed to the remote search system (§[0059], Gross).

Regarding claims 4 and 25, Gross/Grewal combination discloses ranking the combined display of the result sets (§[0082]; [0122] and [0130], Gross).

Regarding claim 5, Gross/Grewal combination discloses wherein the combined result sets comprises a merged result set (§[0082] and §[0104], Gross).

Regarding claim 6, Gross/Grewal combination discloses wherein the user interface is comprised of a first section for displaying the first result set and a second section for displaying the second result set (§[0023]-[0024], Grewal).

Regarding claims 8 and 27, Gross/Grewal combination discloses wherein generating on the client device a user interface including a combined display of the first result set and the second result set comprises: identifying a first article identifier in the first result set; and replacing a second article identifier in the second result set with the first article (§[0022]-[0024], Grewal).

Regarding claim 14, Gross/Grewal combination discloses wherein at least one of the local indices comprises a database storing a plurality of pre-generated results for a plurality of search queries (§[0013]-[0014]; [0037]-[0039], Gross).

Regarding claim 15, Gross/Grewal combination discloses wherein the article type is text-based files (§[0082] and §[0104], Gross).

Regarding claims 16-17, Gross/Grewal disclose wherein the article type is email or message text derived from a chat application (§[0042] and [0059], Gross).

Regarding claim 19, Gross/Grewal combination discloses wherein the local query and the global query occur in parallel (§[0059], Gross).

Regarding claim 20, Gross/Grewal combination discloses ignoring the result set from the local index if the result set from the local index is not received within a predetermined time after the result set from the global index is received (§[0022], Grewal).

Regarding claim 21, Gross/Grewal combination discloses wherein creating a combined display of the result sets based at least in part on the result set from the global index and the

Art Unit: 2163

result set from the local index comprises modifying the result set from the global index ([0023]-[0024], Grewal).

Regarding claim 22, Gross/Grewal combination discloses wherein creating a combined display of result sets based at least in part on the result set from the global index and the result set from the local index comprises creating a new display, wherein the result set from the local index and the result set from the global index are contained in separate sections (§[0023]-[0024], Grewal).

Regarding claim 23, Gross/Grewal discloses wherein creating a combined display of result sets based at least in part on the result set from the global index and the result set from the local index comprises creating a new display combining the result set from the local index and the result set from the global index (§[0082] and §[0104], Gross).

Regarding claim 31, Gross/Grewal combination discloses wherein the local index is not publicly accessible (§[0042] and [0059], Gross).

Regarding claims 9-11 and 28-29, Gross/Grewal combination discloses wherein receiving the search query comprises receiving the search query in a proxy server, a browser plug-in or a firewall (server 111, Fig. 1 and corresponding text, Gross).

Regarding claims 33-51, Gross/Grewal combination discloses the article types (105, Fig. 1; Fig. 4C-F; §[0013]-[0014]; [0037]-[0039] and [0042], Gross)

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2163


1. Nakamura (US 6,633,873 B1) discloses distributed data retrieval system including mechanism for predicting an amount of response data.
2. McGee (US 2003/0144924 A1) discloses smart multi-search method and system.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B. Thai whose telephone number is 571-272-4029. The examiner can normally be reached on Mon-Thur (7:00AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hanh B Thai  
Examiner  
Art Unit 2163

November 20, 2007

  
Hanh B Thai  
For SPE WONG DON